

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

LOWELL T. MANNING,
Defendant

CRIMINAL ACTION
NO. 05-1401-CBS
(Hanscom Air Force Base)

DISCOVERY MOTION

COMES NOW THE GOVERNMENT, and respectfully represents:

1. On April 22, 2005, a written complaint was filed against defendant, charging the defendant with a second offense of driving under the influence of alcohol in accordance with Ch. 90 § 24 M.G.L.A. as assimilated by 18 U.S.C. § 13. The penalty for this offense has been limited to one year confinement. On that same day, the Government also charged the defendant with operating a motor vehicle with a suspended or revoked license in accordance with Ch. 90 § 23 M.G.L.A. as assimilated by 18 U.S.C. § 13 and with possession of an open alcoholic container in a motor vehicle as assimilated by 18 U.S.C. § 13.

2. On August 4, 2005, the defendant was arraigned and pleaded not guilty to all charges.

3. WHEREFORE, Pursuant to Massachusetts Federal Court Rule 116.3, *Discovery Motion Practice*, and in addition to automatic discovery, the Government hereby respectfully requests information and / or documentation pertaining to any medication, prescription or otherwise, that the defendant was taking from March 17, 2005 to March 23, 2005.

Respectfully submitted,



COREY CAPPELLONI

SPECIAL ASSISTANT U.S. ATTORNEY

I hereby certify that I sent a copy of this motion via certified mail to Richard M. Welsh, the defendant's attorney of record, 80 Worcester Street, Suite 5, North Grafton, MA 01536 on August 12, 2005.



COREY CAPPELLONI

SPECIAL ASSISTANT U.S. ATTORNEY